

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ROBERT HANSBURY and BARBARA ANN
HANSBURY, h/w

Plaintiffs,

v.

SUREHAUL TRANSPORT, INC., WILLIAM
MALDONADO and CHARLES SOLOMON, JR.

Defendants.

CIVIL ACTION NO. 02CV3219

MOTION TO COMPEL PLAINTIFF EXPERT DISCOVERY

Defendants, Surehaul Transport, Inc., William Maldonado and Charles Solomon, Jr. by and through their counsel, Post & Schell, P.C., hereby move this Court to compel Plaintiffs' Expert Discovery, and in support thereof aver as follows:

1. On June 26, 2002, Defendants forwarded Interrogatories and Request for Production of Documents to plaintiffs' counsel. A true and correct copy of the June 26, 2002 correspondence is attached hereto and marked as Exhibit "A."

2. Interrogatories twenty-six (26) and twenty-seven (27) sought information regarding experts that plaintiffs expect to call to testify at the trial of this case. A true and correct copy of Defendants' interrogatories are attached hereto and marked as Exhibit "B."

3. Plaintiffs failed to provide answers to Defendants' interrogatories by indicating that they would provide the information sought "as discovery unfolds." A true and correct copy of plaintiff's Responses to Defendants' Interrogatories are attached hereto and marked as Exhibit "C."

4. To date, Defendants have yet to receive plaintiffs' responses to Interrogatories twenty-six (26) and twenty-seven (27). All discovery in the this matter, including the depositions of expert witnesses, must be concluded by November 15, 2002. A true and correct copy of the Court's Scheduling Order is attached hereto and marked as Exhibit "D." Defendants are extremely prejudiced if plaintiffs do not provide the aforementioned expert discovery.

WHEREFORE, Defendants respectfully request that this Honorable Court grant their Motion to Compel and enter the attached Order.

POST & SCHELL, P.C.

By: _____
Joseph R. Fowler
Attorneys For Defendants

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ORDER

AND NOW, this day of , 2002 , upon
consideration of Defendant's Motion to Compel Plaintiffs' Expert Discovery and Plaintiffs'
response thereto, it is ORDERED and DECREED that said motion is GRANTED. Plaintiffs
shall provide a full and complete answers to Interrogatories 26 and 27 within ten (10) days of the
date of this Order.

BY THE COURT:

J.

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**MEMORANDUM OF LAW IN SUPPORT OF DEFENDANTS MOTION TO COMPEL
PLAINTIFF EXPERT DISCOVERY**

This matter arises out of a July 27, 2000 incident at the Weber Packaging Plant. It is alleged that Charles Solomon, an employee and/or subcontractor of Surehaul Transportation, improperly moved a trailer while plaintiff was inside on a fork lift truck.

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Plaintiffs failed to provide answers to Defendants' interrogatories by indicating that they would provide the information sought "as discovery unfolds." A true and correct copy of plaintiff's Responses to Defendants' Interrogatories are attached hereto and marked as Exhibit "C." To date, Defendants have yet to receive plaintiffs' responses to Interrogatories twenty-six

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Joseph R. Fowler
Attorneys For Defendants